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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JAMES ANTHONY WILLIAMS,

9 Plaintiff,

10 v.

11 BRUCE C GAGE, et al.,

12 Defendants.
13

Case No. C18-0218-JCC-MAT

ORDER ON MISCELLANEOUS
MOTIONS

14 This is a 42 U.S.C. § 1983 prisoner civil rights action. Currently before the Court are two
15 motions filed by plaintiff. Dkts. 61, 62. Defendants filed a response, Dkt. 63, and plaintiff filed a
16 reply that includes new arguments and requests for relief, Dkt. 64. Having carefully considered
17 the parties' submissions, the balance of the record, and the governing law, the Court finds and
18 ORDERS:

19 (1) On December 6, 2018, the Court received, via mail and not electronic filing, a
20 request by plaintiff for blank copies of IFP and § 1983 complaint forms. Dkt. 60. The docket
21 entry noted that plaintiff's filing was two pages and that the prison should only print the NEF. The
22 Clerk of Court mailed plaintiff copies of the forms. *See* Dkt. 60. The Clerk also made a docket
23 entry notifying plaintiff that he failed to comply with the prisoner e-filing initiative. *See*

1 12/11/2018 Docket Entry. The docket entry instructed the prison to print only the NEF. *Id.*

2 Plaintiff now claims that prison staff stole several documents sent to him by the Court,
3 including documents that were ten, two, and seven pages long. Dkt. 61 at 3. He also claims that
4 the prison only gave him one of a two-page document. *Id.* at 3, 12. Based on a review of the
5 record, it appears likely that plaintiff did not receive the IFP and § 1983 complaint forms that were
6 mailed in early December 2018 along with a copy of his two-page request. With respect to the
7 partially received document, it appears to be the NEF for Docket 60, which was only one page
8 (although the motion itself was two-pages). Accordingly, the Court will direct the Clerk to resend
9 plaintiff blank IFP and § 1983 forms.

10 (2) The Court previously granted plaintiff until February 8, 2019, to file a motion for
11 leave to amend his complaint. Dkt. 59 at 3. He now asks for a 40-day extension of time. Dkt. 62
12 at 2. He also asks the Court to extend the discovery and dispositive motions deadlines, which are
13 May 24, 2019, and July 5, 2019, respectively. *Id.* Defendants respond that they generally would
14 not object to a short extension of time for plaintiff to move to amend except that he does not offer
15 a basis for his request. Dkt. 63 at 2. They also contend that his request to extend the other deadlines
16 is premature. *Id.*

17 Given that plaintiff apparently did not receive a copy of his original complaint until
18 recently, the Court extends the deadline to file a motion for leave to amend his complaint to **March**
19 **27, 2019**. However, the Court declines to extend the discovery and dispositive motions deadlines
20 at this time. If, after the Court rules on the motion for leave to amend, plaintiff needs additional
21 time to conduct discovery, he may move for an extension of time. Any such request must be
22 accompanied by an explanation of why plaintiff needs additional time and what discovery he still
23 seeks.

1 (3) Plaintiff asks the Court to send him a copy of his original complaint and exhibits.
2 Dkt. 62 at 2. Defendants counsel already mailed plaintiff copies of these documents. Dkt. 63 at
3 2. Therefore, this request is DENIED as moot.

4 (4) Plaintiff requests injunctive relief, *see* Dkt. 62, which the Court will address in a
5 Report and Recommendation filed concurrently with this Order.

6 (5) Plaintiff raises new arguments and requests for relief in his reply brief. Dkt. 64.
7 Because the Court need not consider arguments raised for the first time in a reply brief, *Zamani v.*
8 *Carnes*, 491 F.3d 990, 997 (9th Cir. 2007), any argument or request for relief that plaintiff raised
9 for the first time in his reply brief is DENIED without prejudice to raising the issue in a properly
10 filed motion.

11 (6) In sum, Docket 61 is GRANTED in part and DENIED in part, and Docket 62 is
12 GRANTED in part, DENIED in part, and ruling is RESERVED in part, as discussed above.

13 (7) The Clerk is directed to send plaintiff blank IFP and § 1983 forms, and to send
14 copies of this order to the parties and to the Honorable John C. Coughenour.

15 Dated this 27th day of February, 2019.

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18 Mary Alice Theiler
19 United States Magistrate Judge
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